

| | | |
|-------------------------------------|---|----------------|
| ----- | X | |
| | : | |
| NORMA KNOFF and MICHAEL KNOFF, | : | |
| | : | 16cv6601 (DLC) |
| Plaintiffs, | : | |
| -v- | : | 17cv5833 (DLC) |
| | : | |
| MICHAEL PHILLIPS, PURSUIT HOLDINGS, | : | <u>ORDER</u> |
| LLC, and MICHAEL H. SANFORD, | : | |
| | : | |
| Defendants. | : | |
| | : | |
| ----- | X | |

| | |
|-------------------------------------|---|
| ----- | X |
| | : |
| NORMA KNOFF and MICHAEL KNOFF, | : |
| | : |
| Plaintiffs, | : |
| -v- | : |
| | : |
| FRANK M. ESPOSITO, DORSEY & WHITNEY | : |
| LLP, NATHANIEL AKERMAN, EDWARD | : |
| FELDMAN, and MICHAEL SANFORD, | : |
| | : |
| Defendants. | : |
| | : |
| ----- | X |

DENISE COTE, District Judge:

On February 25, 2020, the Second Circuit Court of Appeals reversed most of this Court's Orders in the above-captioned actions. The mandates returning jurisdiction to this Court issued on April 8 and 17. On May 29, this Court denied plaintiffs' motions for recusal and reassignment in both cases.

On June 16, 2020, the plaintiffs filed a second amended complaint ("SAC") in the Esposito Action. A discovery schedule must be set in the Esposito Action. The surviving claims in the

Phillips Action appear ready for trial. Accordingly, it is hereby

ORDERED that, by **July 24, 2020** the parties to the Esposito Action shall submit letters on ECF proposing a schedule for further proceedings in that action. The parties shall identify any depositions they wish to take and any experts who will issue expert reports on their behalf. In their letter, the plaintiffs should identify which causes of action they intend to pursue and against whom.

IT IS FURTHER ORDERED that, by **July 24, 2020** the plaintiffs in the Phillips Action shall identify the causes of action on which they intend to proceed to trial and against whom. By that same date, the parties in the Phillips Action shall submit letters on ECF indicating whether they consent to a stay of the trial until such time as the Esposito Action is ready for trial, understanding that a decision as to whether to consolidate the cases for trial may not be made until the Esposito Action is ready for trial.

IT IS FURTHER ORDERED that a party's submission to the Court in either the Esposito or Phillips Actions may not exceed two pages.

IT IS FURTHER ORDERED that, should a conference be necessary, it shall be held on **July 31, 2020 at 10:00 am.** The


July 31 conference, if necessary, will proceed as a telephone conference. If a conference is held, the parties shall use the following dial-in credentials, which are also accessible to the press and public:

| | |
|--------------|---------------------|
| Dial-in: | 888-363-4749 |
| Access code: | 4324948 |

IT IS FURTHER ORDERED that the parties shall use a landline if one is available.

SO ORDERED:

Dated: New York, New York
July 13, 2020



DENISE COTE
United States District Judge